



Disability Services Committee

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09600HB5669ham001

LRB096 19999 AJT 38015 a

1 AMENDMENT TO HOUSE BILL 5669

2 AMENDMENT NO. _____. Amend House Bill 5669 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Identification Card Act is amended
5 by changing Section 11A as follows:

6 (15 ILCS 335/11A)

7 Sec. 11A. Emergency contact database.

8 (a) The Secretary of State shall establish a database of
9 the emergency contacts of persons who hold identification
10 cards. Information in the database shall be accessible only to
11 employees of the Office of the Secretary and law enforcement
12 officers employed by a law enforcement agency. Law enforcement
13 officers may share information contained in the emergency
14 contact database, including disabilities and special needs
15 information, with other public safety workers on scene, as
16 needed to conduct official law enforcement duties.

1 (b) Any person holding an identification card shall be
2 afforded the opportunity to provide the Secretary of State, in
3 a manner and form designated by the Secretary of State, the
4 name, address, telephone number, and relationship to the holder
5 of no more than 2 emergency contact persons whom the holder
6 wishes to be contacted by a law enforcement officer if the
7 holder is involved in a motor vehicle accident or other
8 emergency situation and the holder is unable to communicate
9 with the contact person or persons and may designate whether
10 the holder has a disability or is a special needs individual. A
11 contact person need not be the holder's next of kin.

12 (c) The Secretary shall adopt rules to implement this
13 Section. At a minimum, the rules shall address all of the
14 following:

15 (1) the method whereby a holder may provide the
16 Secretary of State with emergency contact, disability, and
17 special needs information;

18 (2) the method whereby a holder may provide the
19 Secretary of State with a change to the emergency contact, disability, and special needs information; and
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21 (3) any other aspect of the database or its operation
22 that the Secretary determines is necessary to implement
23 this Section.

24 (d) If a person involved in a motor vehicle accident or
25 other emergency situation is unable to communicate with the
26 contact person or persons specified in the database, a law

1 enforcement officer shall make a good faith effort to notify
2 the contact person or persons of the situation. Neither the law
3 enforcement officer nor the law enforcement agency that employs
4 that law enforcement officer incurs any liability, however, if
5 the law enforcement officer is not able to make contact with
6 the contact person. Except for willful or wanton misconduct,
7 neither the law enforcement officer, nor the law enforcement
8 agency that employs the law enforcement officer, shall incur
9 any liability relating to the reporting or use of the database
10 during a motor vehicle accident or other emergency situation.

11 (e) The Secretary of State shall make a good faith effort
12 to maintain accurate data as provided by the identification
13 card holder and to provide that information to law enforcement
14 as provided in subsection (a). The Secretary of State is not
15 liable for any damages, costs, or expenses, including, without
16 limitation, consequential damages, arising or resulting from
17 any inaccurate or incomplete data or system unavailability.
18 Except for willful or wanton misconduct, the Secretary of State
19 shall not incur any liability relating to the reporting of
20 disabilities or special needs individuals.

21 (f) As used in this Section:

22 "Disability" means an individual's physical or mental
23 impairment that substantially limits one or more of the major
24 life activities; a record of such impairment; or when the
25 individual is regarded as having such impairment.

26 "Public safety worker" means a person employed by this

1 State or a political subdivision thereof that provides
2 firefighting, law enforcement, medical, or other emergency
3 services.

4 "Special needs individuals" means those individuals who
5 have or are at increased risk for a chronic physical,
6 developmental, behavioral, or emotional condition and who also
7 require health and related services of a type or amount beyond
8 that required by individuals generally.

9 (Source: P.A. 95-898, eff. 7-1-09.)

10 Section 10. The Illinois Vehicle Code is amended by
11 changing Section 6-117.2 as follows:

12 (625 ILCS 5/6-117.2)

13 Sec. 6-117.2. Emergency contact database.

14 (a) The Secretary of State shall establish a database of
15 the emergency contacts of persons who hold a driver's license,
16 instruction permit, or any other type of driving permit issued
17 by the Secretary of State. Information in the database shall be
18 accessible only to employees of the Office of the Secretary and
19 law enforcement officers employed by a law enforcement agency.
20 Law enforcement officers may share information contained in the
21 emergency contact database, including disabilities and special
22 needs information, with other public safety workers on scene,
23 as needed to conduct official law enforcement duties.

24 (b) Any person holding a driver's license, instruction

1 permit, or any other type of driving permit issued by the
2 Secretary of State shall be afforded the opportunity to provide
3 the Secretary of State, in a manner and form designated by the
4 Secretary of State, the name, address, telephone number, and
5 relationship to the holder of no more than 2 emergency contact
6 persons whom the holder wishes to be contacted by a law
7 enforcement officer if the holder is involved in a motor
8 vehicle accident or other emergency situation and the holder is
9 unable to communicate with the contact person or persons and
10 may designate whether the holder has a disability or is a
11 special needs individual. A contact person need not be the
12 holder's next of kin.

13 (c) The Secretary shall adopt rules to implement this
14 Section. At a minimum, the rules shall address all of the
15 following:

16 (1) the method whereby a holder may provide the
17 Secretary of State with emergency contact, disability, and
18 special needs information;

19 (2) the method whereby a holder may provide the
20 Secretary of State with a change to the emergency contact, ,
21 disability, and special needs information; and

22 (3) any other aspect of the database or its operation
23 that the Secretary determines is necessary to implement
24 this Section.

25 (d) If a person involved in a motor vehicle accident or
26 other emergency situation is unable to communicate with the

1 contact person or persons specified in the database, a law
2 enforcement officer shall make a good faith effort to notify
3 the contact person or persons of the situation. Neither the law
4 enforcement officer nor the law enforcement agency that employs
5 that law enforcement officer incurs any liability, however, if
6 the law enforcement officer is not able to make contact with
7 the contact person. Except for willful or wanton misconduct,
8 neither the law enforcement officer, nor the law enforcement
9 agency that employs the law enforcement officer, shall incur
10 any liability relating to the reporting or use of the database
11 during a motor vehicle accident or other emergency situation.

12 (e) The Secretary of State shall make a good faith effort
13 to maintain accurate data as provided by the driver's license
14 or instruction permit holder and to provide that information to
15 law enforcement as provided in subsection (a). The Secretary of
16 State is not liable for any damages, costs, or expenses,
17 including, without limitation, consequential damages, arising
18 or resulting from any inaccurate or incomplete data or system
19 unavailability. Except for willful or wanton misconduct, the
20 Secretary of State shall not incur any liability relating to
21 the reporting of disabilities or special needs individuals.

22 (f) As used in this Section:

23 "Disability" means an individual's physical or mental
24 impairment that substantially limits one or more of the major
25 life activities; a record of such impairment; or when the
26 individual is regarded as having such impairment.

1 "Public safety worker" means a person employed by this
2 State or a political subdivision thereof that provides
3 firefighting, law enforcement, medical or other emergency
4 services.

5 "Special needs individuals" means those individuals who
6 have or are at increased risk for a chronic physical,
7 developmental, behavioral, or emotional condition and who also
8 require health and related services of a type or amount beyond
9 that required by individuals generally.

10 (Source: P.A. 95-898, eff. 7-1-09.)

11 Section 99. Effective date. This Act takes effect January
12 1, 2011."